

## **REMARKS**

Claims 1 - 20 are pending in the application. Claims 1-4, 6, 8-10, 12, 14, 15, 17, 18 and 20 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,381,202 issued to Shimoda. Claims 5, 7, 11, 13, 16 and 19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Shimoda in view of U.S. Publication No. 2002/0105874 issued to Matsumoto. Applicants respectfully traverse.

Each of Claims 1-20 recite “preassigned” identification codes. As is explained in Applicants’ written description, preassigned codes are for planned optical media in development by a manufacturer (pg. 7 line 18 – pg. 9 line 28). Preassignment of identification codes allows optical drives to recognize an optical medium even though a write strategy is not available for the optical medium, and thus select a more appropriate generic write strategy. Shimoda fails to teach, disclose or suggest preassignment of identification codes as recited by Claims 1-20. The portion of Shimoda relied upon by the Examiner at column 8, lines 43-51, describe the selection of a basic generic write strategy, the problem addressed by Applicants’ disclosure (pg. 2, line 25 – pg.3, line 9). Applicants respectfully submit that the remainder of Shimoda discloses the use of unrecognized codes to guess at a write strategy, as disclosed in Applicants’ written description at pg. 3, lines 9-14. Since Shimoda fails to teach, disclose or suggest the use of preassigned codes, Shimoda cannot anticipate Claims 1-20. Accordingly, Applicants respectfully request that the Examiner withdraw the rejections of Claims 1-20.

### **CONCLUSION**

In view of the amendments and remarks set forth herein, the application is believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the examiner is requested to telephone the undersigned.

I hereby certify that this correspondence is being electronically submitted to the COMMISSIONER FOR PATENTS via EFS on February 26, 2007.

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Respectfully submitted,

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